

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959



June 24, 2019

Tom Juzwiak  
Contract Building Official  
Community Development Department  
City of Ojai  
401 South Ventura Street  
Ojai, CA 93023

RE: Ordinance No.891

Dear Mr. Juzwiak:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your office on 3/18/19.

Our review finds the submittal contains one ordinance modifying provisions of the 2016 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

  
Enrique M. Rodriguez  
Associate Construction Analyst

cc: CBSC Chron  
Local Filings



## CITY OF OJAI

Community Development Department  
401 South Ventura Street · Ojai · California · 93023  
(805) 646-5581 · fax (805) 653-2236 · Inspection (805) 646-5581 x 127  
[www.ojaicity.org](http://www.ojaicity.org)

March 8, 2019

California Building Standards Commission  
ATTN: Ordinance Filing  
2525 Natomas Park Dr., Suite 130  
Sacramento, CA 95833

**Subject:** City of Ojai 2016 Building Code Ordinance

Dear Building Standards Commission:

The City of Ojai has adopted the current Building, Plumbing, Mechanical, Electrical, Residential, Energy and Green Building Codes of the State of California.

The City of Ojai has recommended changes and modifications to the Codes and have advised that certain said changes and modifications to the 2016 Editions of the California Codes are reasonably necessary due to local conditions in the City and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the code or are reasonably necessary to safeguard life and property within the City of Ojai.

Pursuant to the requirements of Health and Safety Code Section 17958.7, the City Council finds that there are local geographical conditions justifying the amendments to the California Building Code amendments as set forth below:

1. Climatic. The local climate is characterized by periods of high temperatures accompanied by low humidity and high winds each year. These conditions could create an environment in which the fire department may have great difficulty in controlling fires occurring in hillside brush areas as well as structures not having built-in fire protection. Further, the warm climate encourages the proliferation of swimming pool construction which makes modifications to the California Building Code relating to swimming pools desirable to adequately protect small children from drowning hazards. The City also experiences periods of intense rainfall, which create the need for special drainage precautions.

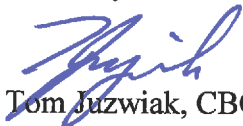
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CALIFORNIA BUILDING STANDARDS COMMISSION

2. Geological. The City is located in an area with expansive soils and includes hillsides that are subject to mud flows and unstable soils. Special foundation considerations and soils analysis requirements must be in place to provide a reasonable degree of structural integrity for buildings constructed in these areas in order to prevent injury to building occupants, neighbors, and persons using public property. Grading operations in the City, which include hilly areas that are already substantially developed, are likely to create hazardous conditions. New construction or additions in an active landslide area must be regulated to ensure that the slide will not be exacerbated and, if possible, will be improved. These factors require specific and greater protection than is afforded by California Building Code.
3. Topographical. The City has hillside and flat land developments that require special drainage precautions, as well as a system of roadways and highways that generate traffic noise. Structures would be subject to water damage without special requirements addressing site drainage.

The enclosed City Ordinance 891 is for your files.

Please do not hesitate to contact me directly at (805) 646-5581 x 116 for further discussion.

Sincerely,



Tom Juzwiak, CBO  
Contract Building Official  
City of Ojai

**CITY OF OJAI**

**ORDINANCE NO. 891**

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CALIFORNIA BUILDING  
STANDARDS CODE

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OJAI ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, CALIFORNIA CODE OF REGULATIONS - TITLE 24, THE 2016 CALIFORNIA BUILDING STANDARDS CODE AND RELATED STATE CODES, AND ADOPTING LOCAL AMENDMENTS THERETO IN ACCORDANCE WITH CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 17922, 17958, 17958.5, 17958.7, AND 18941.5 AND FINDING THAT THE ADOPTION OF THIS AMENDMENT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the City Council of the City of Ojai does hereby find that there is a need to enforce the most current edition of the California Building Standards Code ("CBSC"), with local amendments thereof, as recited herein for regulating and controlling the design, erection, construction, enlargement, installation, alteration, repair, relocation, removal, use and occupancy, demolition, conversion, height and area, location and maintenance, and quality of materials of all buildings and structures and plumbing, mechanical, electrical and fire suppression systems and certain equipment within the City;

**WHEREAS**, pursuant to sections 17922, 17958, 17958.5, 17958.7, and 18941.5 of the California Health & Safety Code, the City may adopt the provisions of the Uniform Building, Plumbing, Mechanical, and Electric Codes, with certain amendments to the provisions of the codes, which are reasonably necessary to protect the health and welfare of citizens of Ojai because of local climatic, geological, or topographical conditions;

**WHEREAS**, given that Ventura County has been determined by the California Air Resources Board to be a non-attainment area for air quality, and the City of Ojai is located within Ventura County; and, given that the Green Building Standards can potentially reduce greenhouse gas emissions and VOC emissions from new construction projects as well as redevelopment and renovation projects in the City;

**WHEREAS**, given the City borders the Los Padres National Forest and most of its territory has been designated a very high fire hazard severity zone; and, given fire retardant construction can help limit the negative impact of forest fires on commercial and residential structures in the City;

**WHEREAS**, on July 17, 2017, the City Council tasked the Building Appeals Board with reviewing and revising the 2016 CBSC;

**WHEREAS**, on August 29, 2018, the Building Appeals Board reviewed and recommended adoption of the 2016 CBSC with local amendments; and

**WHEREAS**, on January 8, 2018, the City Council directed staff to prepare an ordinance adopting the 2016 CBSC and related state codes with local amendments for introduction and first reading.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Recitals.** The above set forth recitals and findings are true and correct and incorporated herein by reference, as if set forth herein in full.

**SECTION 2. 2016 California Building Standards Code Administrative Provisions Adopted.** The Administrative Provisions of the 2016 CBSC contained in Division II of Chapter I of Part 2, Title 24 California Code of Regulations are hereby adopted by reference pursuant to Government Code sections 50022.2 through 50022.10. All of the regulations, provisions, conditions, and terms of said division, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter. To provide adequate protection under the local climatic, geological, and topographical conditions set forth above, the City of Ojai makes the following findings and determinations relative to the adoption of administrative amendments, and where appropriate, the adoption of more restrictive CBSC provisions:

1. Ventura County has been determined by the California Air Resources Board to be a non-attainment area for air quality, and the City of Ojai is located within Ventura County;
2. Green Building Standards can potentially reduce greenhouse gas emissions and VOC emissions from new construction projects as well as redevelopment and renovation projects in the City;
3. The City of Ojai borders the Los Padres National Forest and most of its territory has been designated a very high fire hazard severity zone;
4. Fire retardant construction can help limit the negative impact of forest fires on commercial and residential structures in the City;

**SECTION 3. Local Amendment.** Ojai Municipal Code Section 9-1.101 ("Adoption by reference") of Article 1 ("State Building Standards Code") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck through~~ text:

**Sec. 9-1.101. Adoption by reference.**

Pursuant to Health and Safety Code Section 17958 and Government Code Section 50022.2, the State Building Standards Code (the "State Code") and other regulations adopted pursuant to Health and Safety Code Section 17922, including, but not limited to, the most recent editions of the following:

- ~~(a) — The Uniform Housing Code (the "UHC") of the International Conference of Building Officials (the "ICBO");~~
- ~~(b) — The Uniform Building Code (the "UBC") of the ICBO;~~
- ~~(c) — The Uniform Plumbing Code (the "UPC") of the International Association of Plumbing and Mechanical Officials;~~
- ~~(d) — The Uniform Mechanical Code of the ICBO and the International Association of Plumbing and Mechanical Officials;~~
- ~~(e) — The National Electrical Code (the "NEC") of the National Fire Protection Association; and~~
- ~~(f) — Appendix Chapter 1 of the Uniform Code for Building Conservation of the ICBO; are hereby adopted by reference and are ordinances of the City, except as expressly provided otherwise in this chapter.~~
- (a) — The California Building Code (CBC), Volume 1 & 2, and Appendices I & J;
- (b) — The California Residential Code (CRC) and Appendices V & H;
- (c) — The California Mechanical Code;
- (d) — The California Existing Building Code (CEBC);
- (e) — The California Administrative Code (CAC);
- (f) — The California Electrical Code;
- (g) — The California Plumbing Code (CPC) and Appendices H & L;
- (h) — The California Fire Code;
- (i) — The California Energy Code;
- (j) — The California Green Building Standard Code (CGBSC); and
- (k) — The California Reference Standards.

**SECTION 10. Local Amendment.** Ojai Municipal Code Section 9-1.301 ("Amendments") of Article 3 ("Uniform Building Code and Uniform Building Code Standards") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck-through~~ text:

**Sec. 9-1.301. Amendments.**

The ~~UBC 2016 California Building Code~~ is hereby amended as follows:

- (a) ~~UBC Sec. 106.4.4 Expiration.~~ For purposes of this Code, the expiration of a building permit issued by the Building Official shall be subject to the provisions of Sections 9 2.09 through 9 2.11 of this Code. CBC 105.3.2 Time Limitation of Application. An application for a permit for any proposed work will be deemed abandoned one hundred eighty (180) days after the date of filing, corrections issued or plan approval unless a permit has been issued; except that the Building Official is authorized to grant up to two extensions of time for additional periods not exceeding one hundred eighty (180) days each. The extension must be requested in writing. In order to renew action on an application after expiration, the applicant must resubmit plans and pay a new plan review fee.
- (b) ~~UBC Sec. 715. High Fire Hazard Area Defined.~~ For the purpose of this Code, certain areas in the incorporated territory of the City shall be classified as the High Fire Hazard Area. The High Fire Hazard Area is defined as any area within five hundred (500) feet of uncultivated brush, grass or forest covered land wherein it is deemed that a potential fire hazard exists due to the presence of such flammable material. CBC 105.5 Expiration. Every permit issued will become invalid, unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one hundred eighty (180) days after the time of work is commenced. Before such work can be recommenced, a new permit must first be obtained to do so, and the applicable fee will be one half the amount required for a new permit for such work, provided no changes have been made, nor will be made, in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. If the suspension or abandonment has exceeded one year, the permit will be considered expired. In order to renew a permit after expiration, the permittee must pay a new full permit fee. The Building Official is authorized to grant, in writing, two extensions of time, for periods not more than one hundred eighty (180) days each. The extension must be requested in writing.
- (c) ~~UBC Sec. 715.1. Restriction in High Fire Hazard Areas.~~ The purpose of this section is to provide a minimum standard for the fire protection of buildings and structures hereafter erected in proximity to high fire hazard areas. Buildings or structures hereafter erected, constructed or moved within or into such areas shall be one of the Types of Construction as defined in this Code and shall meet the requirements of this Section. CBC 109.4 Work commencing before permit issuance. Any person who commenced any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee equal to the permit fee that shall be in addition to any required permit fees.



(d) UBC Sec. 715.1.1. Roofs. Roof coverings shall be of a Class B or better as specified in Chapter 15 of the UBC, except that no wooden shakes or shingles, treated or untreated, shall be permitted. CBC 109.7 Reinspection fees. A reinspection fee may be imposed for each inspection or reinspection, when such portion of work for which inspection is called is not complete, access is denied, access is not available or when required corrections are not made. This section is not to be interpreted as requiring reinspection fees for the first time a job is rejected for failure to comply with the requirements of the technical codes, but as a method of controlling the practice of calling inspections before the job is ready for such inspection or reinspection. Reinspection fees may be imposed when the approved plans are not readily available to the inspector; for failure to provide access on the date for which the inspection is requested; or for deviating from plans requiring the approval of the Building Official. In instances where reinspection fees have been assessed, the permit will not be finalized nor occupancy granted until the required fees have been paid. Reinspection fees are established by City Ordinance.

(e) UBC Sec. 715.1.2. Exterior Walls. Fire resistive protection of exterior walls and openings, as determined by location on property, shall be as required by UBC Section 503.

EXCEPTION: The foregoing provision notwithstanding, no exterior wall of a building or structure shall have a lesser degree of fire protection than that provided by exterior wall covering of seven eighths

(7/8) inch exterior cement plaster, one (1) inch nominal thickness solid wood siding or one half (1/2) inch thick plywood. Fire retardant treated or untreated wood shingles or shake siding shall not be permitted. CBC 109.9 Refunds. The Building Official may authorize a refund of any fee that was erroneously paid or collected. The Building Official may authorize a refund of not more than eighty (80) percent of the applicable permit fee paid when no work has been done under the permit. The Building Official may authorize a refund of not more than eighty (80) percent of the plan review fee paid when an application for a permit is withdrawn or canceled before any examination time has been expended. The Building Official may not authorize a refund of any fee paid except upon written request, filed by the original permittee no later than one hundred eighty (180) days after the date of fee payment.

(f) UBC Sec. 715.1.3. Underfloor Areas. Where underfloor areas are not enclosed by fire resistive construction conforming to the requirements of UBC Section 715.1.2, the underside of the floor system shall be fire protected as set forth in UBC Section 715.1.4. CBC Table 1505.1 Minimum Roof Covering Classification for Types of Construction. Notwithstanding the default requirements of Table 1505.1, a minimum Class A roof is required for all construction types. Exceptions may be granted by the Building Official for City or County registered historic landmarks. The applicant shall submit evidence of landmark status and proposed alternative roofing materials.



(g) ~~UBC Sec. 715.1.4. Projections and Other Building Elements Exposed to Fire.~~ Architectural projections, such as roof overhangs and soffits, balconies and decks, patio covers and carports and other elements in the horizontal plane, will be protected with materials approved for one (1) hour fire resistive construction on the lower fire exposed side and shall have one (1) hour fire resistive supporting columns unless the details of construction conform to those for heavy timber in the UBC.

**EXCEPTIONS:**

- (1) ~~Combustible structural members in horizontal projections may be unprotected timbers of size four (4) × six (6) or larger when used as rafters or as stair, balcony or deck supports or for similar purposes.~~
- (2) ~~Heavy timber roof decking at eaves and rakes may be unprotected provided a fascia of not less than two (2) inch nominal thickness timber is installed at the roof's edge.~~
- (3) ~~Patio roofs and similar accessory structures may be constructed of combustible members not less than two (2) × four (4) inch nominal size.~~
- (4) ~~Arbors and open lattice work sunshades may be constructed of combustible members not less than two (2) × two (2) inch nominal size.~~
- (5) ~~Balcony and deck flooring may not be less than two (2) inch nominal thickness lumber or material of equivalent fire resistance. Such flooring may be spaced not more than one fourth (1/4) inch apart and need not be fire protected on the underside provided the balcony or deck surface is three (3) feet above grade. Balconies and decks less than three (3) feet above grade shall be solidly floored without gaps and shall be fire protected on the underside as required by this Section. In lieu of fire protection, such balconies and decks may be enclosed with floor surface to grade in the manner prescribed for exterior walls in UBC Section 715.1.2.~~
- (6) ~~Combustible exterior columns directly supporting roofs, stairs, balconies and decks may be size four (4) × four (4) or larger. Columns and beams supporting interior floor loads may be size six (6) × six (6) or larger.~~

CBC 1511.3 Roof replacement. Roof replacement shall include the removal of all existing layers of roof covering down to the roof deck. The entire roof covering of every existing structure where more than 10 percent of the total roof area is repaired or replaced within any one-year period, shall be fire-retardant roof covering that is at least Class A. When a roof is being replaced the following must also be upgraded:

- (1) Spark arrestors must be installed on any fire place chimney. Manufactured fireplace must have a spark arrestor installed approved by the manufacturer.

- (h) ~~UBC Sec. 715.1.5. Waiver of Requirements. When based on site conditions which justify a reduction in fire resistance, the Building Official may grant a waiver of any of requirements (a) through (f) above for specific construction projects within the High Fire Hazard Area. CBC 1511.3.1.2 Roof recover upgrade entire roof. The entire roof covering of every existing structure where more than 10 percent of the total roof area is repaired or replaced within any one-year period, shall be a fire-retardant roof covering that is at least Class A.~~
- (i) ~~UBC Sec. 715.1.6. Substitutions. Although their installation is encouraged and, in some circumstances, required, neither manual nor automatic sprinklers nor any other water systems may be substituted for the fire protection set forth in this Section. CBC 1803.1 General. Geotechnical investigations shall be conducted in accordance with sections 1803.2 and reported in accordance with 1803.6. Where required by the building official or where geotechnical investigations involve in-situ testing, laboratory testing or engineering calculations, such determination must be made by a California licensed engineer experienced in soil engineering. The Soil Expansion Index must be listed in all soils investigation reports.~~
- (j) ~~UBC Sec. 715.1.7. Roof and Roof Structure. Class C and non-rated roof coverings shall be deleted and replaced with Class B roof coverings. Therefore, Class B roof coverings shall be the minimum fire resistant material allowed on roofs and structures.~~
- (k) ~~UBC Sec. 1826.3. Concrete Slabs on Grade. Concrete slabs on grade shall be made waterproof as specified in UBC Section 1826.2.~~
- (l) ~~UBC Sec. 1826.4. Drainage and Moisture Protection. When buildings are located on expansive soil having an expansion index greater than fifty (50), gutters, downspouts, piping and other non-erosive devices shall be provided to collect and conduct rainwater to a street, storm drain or other approved watercourse or disposal area.~~
- (m) ~~UBC Sec. 1826.5. Foundations. Foundations at the perimeter of buildings and structures shall form a continuous moisture barrier of Portland cement concrete or solid grouted masonry to the depths required by UBC Table 18-I-D.~~
- (n) ~~UBC Sec. 3402. Maintenance. All buildings and structures, both existing and new, all parts and equipment, and configuration thereof, shall be maintained in a safe and sanitary condition. All devices, safeguards and requirements of this Code shall be maintained in conformance with the Code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the buildings and structures.~~
- (o) ~~UBC Sec. 3402.1. Reinspection. Pursuant to UBC Section 3402, the Building Official may cause a structure to be reinspected. The Building Official may conduct maintenance inspections when a structure is sold, prior to occupancy by new tenants, or upon application for a business license, or at other times during occupancy or when a building is vacant as may be deemed appropriate. Fees for such inspections may be assessed as per adopted fee resolutions and/or recovery of costs associated with such inspections.~~

The California Residential Code is hereby amended as follows:

(a) CRC R401.1 Application. The provisions of this chapter control the design and construction of the foundation and foundation spaces for all buildings. In addition to the provision of this chapter, the design and construction of foundations in areas prone to flooding as established by Table R301.2(1) must meet the provisions of Section R322. Wood foundations must be designed and installed in accordance with AF&PA PWF (American Forest & Paper Association permanent wood foundation).

Exception: The provisions of this chapter are permitted to be used for wood foundations only in the following situations.

- (1) In buildings that have no more than two floors and a roof.
- (2) When interior basement and foundation walls are constructed at intervals not exceeding 50 feet.
- (3) Wood foundations in Seismic Design Category DO, D1, D2, or E are not permitted.

(b) CRC R105.3.2 Time Limitation of Application. An application for a permit for any proposed work will be deemed abandoned within one hundred eighty (180) days after the date of filing, corrections issued or plan approval unless a permit has been issued; except that the Building Official is authorized to grant up to two extensions of time for additional periods not exceeding one hundred eighty (180) days each. The extension must be requested in writing. In order to renew action on an application after expiration, the applicant must resubmit plans and pay a new plan review fee.

(c) CRC R105.5 Expiration. Every permit issued will become invalid, unless the work on the site authorized by such permit is commenced within three hundred sixty five (365) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of three hundred sixty five (365) days after the time of work is commenced. Before such work can be recommenced, a new permit must first be obtained to do so, and the applicable fee will be one half the amount required for a new permit for such work, provided no changes have been made, nor will be made, in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. If the suspension or abandonment has exceeded one year, the permit will be considered expired. In order to renew a permit after expiration, the permittee must pay a new full permit fee. The Building Official is authorized to grant, in writing, two extensions of time, for periods not more than one hundred eighty (180) days each. The extension must be requested in writing.

(d) CRC R108.5 Refunds. The Building Official may authorize a refund of any fee that was erroneously paid or collected. The Building Official may authorize a refund of not more than 80 percent of the applicable permit fee paid when no work has been done under the permit. The Building Official may authorize a refund of not more than 80 percent of the plan review fee paid when an application for a permit is withdrawn or canceled before any examination time has been expended. The Building Official may not

authorize a refund of any fee paid except upon written request, filed by the original permittee no later than 180 days after date of fee payment.

(e) CRC R108.6 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee equal to the permit fee that shall be in addition to any required permit fees.

(f) CRC R108.7 Reinspection Fees. A reinspection fee may be imposed for each inspection or reinspection, when such portion of work for which inspection is called is not complete, access is denied, access is not available or when required corrections are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as a method of controlling the practice of calling inspections before the job is ready for such inspection or reinspection. Reinspection fees may be imposed when the approved plans are not readily available to the inspector; for failure to provide access on the date for which the inspection is requested; or for deviating from plans requiring the approval of the Building Official. In instances where reinspection fees have been assessed, the permit will not be finalized nor occupancy granted until the required fees have been paid. Reinspection fees are established by City Ordinance.

(g) CRC R314.9 Heat sensor detector.

(h) CRC R314.9.1 General – Heat sensor shall comply with section 314.9.

(i) CRC R314.9.1.1 Listings – Heat sensor detectors shall be listed by a listing agency approved by the Building Official.

(j) CRC R314.9.2 Where required – Heat sensor detectors shall be installed within attached and unattached garages when any permit is issued with a valuation greater than \$500.

(k) CRC 314.9.3 Power source – Heat sensor detectors shall be either hard wired or plugged in to an outlet receiving power from a commercial source and shall be equipped with a battery backup. Heat sensor detector shall emit a signal when the batteries are low.

(l) CRC R337.1.1 Scope - This chapter applies to building materials, systems and or assemblies used in the exterior design and construction of new buildings and building alterations located within a Wild-land -Urban Interface Fire Area as defined in Section R337.2A.

(m) CRC R337.1.3 Application - New buildings and building alterations located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area Designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

(n) CRC R337.1.3.1 Application date and where required - New buildings for which an application for a building permit is submitted on or after July 1, 2008 located in any Fire Hazard Severity Zone or Wildland Interface Fire Area shall comply with all sections of this chapter, including all of the following areas:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:

1.1. Moderate Fire Hazard Severity Zones

1.2. High Fire Hazard Severity Zones

- 1.3. Very-High Fire Hazard Severity Zones
  2. Land designated as Very-High Fire Hazard Severity Zone, High Fire Hazard Severity Zone and Moderate Fire Hazard Severity Zone by cities and other local agencies.
  3. Land designated as Wildland Interface Fire Area by cities and other local agencies.
- (o) CRC R337.3.5.2 Weathering – Fire retardant-treated-wood shall meet the fire test performance requirements of this chapter after being subjected to the weathering conditions contained in the following standards, as applicable to the materials and conditions of use.
- (p) CRC R337.3.5.2.2 Fire-retardant-treated wood shingles and shakes – This section is deleted in its entirety.
- (q) CRC R337.4.3 Fire-retardant-treated wood shingles and shakes – This section is deleted in its entirety.
- (r) CRC R337.3.5.2.2 Fire-retardant-treated wood shingles and shakes – This section is deleted in its entirety.
- (s) CRC R337.8.2 Exterior Glazing – The following exterior glazing materials and/or assemblies shall comply with this section:
1. Exterior windows and skylights.
  2. Exterior glazed doors.
  3. Glazed openings within exterior doors.
  4. Glazed openings within exterior garage doors.
  5. Exterior structural glass veneer.
- (t) CRC R337.8.2.1 Exterior windows and exterior glazed doors assembly requirements – Exterior windows and exterior glazed doors assemblies shall comply with one of the following requirements:
1. Be constructed of multiplane glazing with a minimum of one tempered pane meeting the requirements of section R308 Safety Glazing, or
  2. Be constructed of block glass units, or
  3. Have a fire-resistance rating of not less than 20 minutes when tested according to NFPA 257, or
  4. Be tested to meet the performance requirements of SFM Standard 12-7A-2.
- (u) CRC R403.1.2 Continuous footing in Seismic Design Categories D0, D1, D2 and E. Exterior walls of buildings located in Seismic Design Categories D0, D1, D2, and E, shall be supported by continuous solid or fully grouted masonry or concrete footings. Other footing materials or systems shall be designed in accordance with accepted engineering practice. The braced wall panels at exterior walls of buildings located in Seismic Design Categories D0, D1, D2 and E must be supported by continuous footings. All required interior braced wall panels in buildings must be supported by continuous footings. The exception is deleted in its entirety.
- (v) CRC R902.1 Roofing covering materials – Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A roof shall be installed in all areas. Class A roofing shall be tested in accordance with UL 790 or ASTM E108.

(w) CRC R902.1.1 Roof coverings within very-high fire hazard severity zones – The entire roof covering of every existing structure where more than 10 percent of the total roof area is repaired or replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in alteration, repair or replacement of the roof or every existing structure, shall be a fire-retardant roof covering that is at least Class A.

(x) CRC R902.1.2 Roof coverings within state responsibility zones - The entire roof covering of every existing structure where more than 10 percent of the total roof area is repaired or replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

(y) CRC R902.1.2 Exception - The exception is deleted in its entirety.

(z) CRC R903.1.3 Roof coverings in all other areas - The entire roof covering of every existing structure where more than 10 percent of the total roof area is repaired or replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

**SECTION 11. Local Amendment.** Ojai Municipal Code Section 9-1.302 (“CBC Appendix and CRC Appendix”) of Article 3 (“Uniform Building Code and Uniform Building Code Standards”) of Chapter 1 (“Uniform Codes”) of Title 9 (“Building Regulations”) is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck through~~ text:

**Sec. 9-1.302. UBC/CBC Appendix and CRC Appendix.**

~~UBC Appendix Chapters A3/Division II, A11, A12, A15, A18, A29, A31, A33 and A34 are hereby~~ California Building Code Appendices I and J adopted as parts of this Code.

California Residential Code Appendices V and H adopted as parts of this Code.

**SECTION 12. Local Amendment.** Ojai Municipal Code Article 4 (“Uniform Housing Code”) of Chapter 1 (“Uniform Codes”) of Title 9 (“Building Regulations”) is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck through~~ text:

**Article 4. Uniform Housing California Mechanical Code**

**~~Sec. 9-1.401. Adoption (Repealed).~~**

**Sec. 9-1.401. Amendments.**

The UHC California Mechanical Code is hereby amended as follows:

- (a) ~~UHC Sec. 1201. Board of Appeals. The Appeals Board for the purposes of the UHC shall be the Board of Appeals as set forth in Article 1 of this chapter. Upon receipt of any appeal filed pursuant to UHC Chapter 12, the Building Official shall present it at the next regular or special meeting of the Board of Appeals in accordance with Chapter 4, Title 1 of the Ojai Municipal Code.~~
- (b) ~~UHC Sec. 1201.2.1. Processing of Appeal. The Building Official may, under the applicable procedures set forth in this Code, request and initiate a hearing before the Board of Appeals on any matter related to a substandard building or the premises on which it is located.~~

(§ 1, Ord. 627, eff. April 11, 1985, as amended and renumbered by § 10, Ord. 718, eff. April 25, 1997)

- (a) CMC 104.5.3 Fee Refunds. The Authority Having Jurisdiction shall be permitted to authorize the refunding of a fee as follows:
1. The amount paid hereunder that was erroneously paid or collected.
  2. The Building Official may authorize a refund of not more than 80 percent of the applicable permit fee paid when no work has been done under the permit. The Building Official may authorize a refund of not more than 80 percent of the plan review fee paid when an application for a permit is withdrawn or canceled before any examination time has been expended.
- (b) CMC 105.2.6 Reinspection Fees. A reinspection fee may be imposed for each inspection or reinspection, when such portion of work for which inspection is called is not complete, access is denied, access is not available or when required corrections are not made. This section is not to be interpreted as requiring inspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as a method of controlling the practice of calling inspections before the job is ready for such inspection or reinspection. Reinspection fees may be imposed when the approved plans are not readily available to the inspector; for failure to provide access on the date for which the inspection is requested; or for deviating from plans requiring the approval of the Building Official. In instances where reinspection fees have been assessed, the permit will not be finalized or occupancy granted until the required fees have been paid. Reinspection fees are established by City Ordinance.

**SECTION 13. Local Amendment.** Ojai Municipal Code Article 5 ("Uniform Code for the Abatement of Dangerous Buildings") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck through~~ text:



**Article 5. ~~Uniform Code for the Abatement of Dangerous Buildings~~ California Existing Building Code**

**Sec. 9-1.501. Adoption.**

~~That Code known as the "Uniform Code for the Abatement of Dangerous Buildings," most recent edition, promulgated and published by the ICBO, is hereby adopted and enacted as the Code for Abatement of Dangerous Buildings in the City and made a part of this Code by reference with the same force and effect as~~

~~if fully set forth herein with specific modifications as indicated below. Such Code will be referred to herein as the Dangerous Buildings Code (DBC).~~

That certain Code known as the "The California Existing Building Code," promulgated and published by the California Building Standards Commission, is hereby adopted and enacted as the primary Code governing the administration of this Code and is made a part of this Code by reference with the same force and effect as if fully set forth herein. Such Code will be referred to herein as the California Existing Building Code ("CEBC").

**Sec. 9-1.502. Amendments.**

~~The DBC is hereby amended as follows:~~

- ~~(a) — DBC Sec. 205. Appeals Board. The Appeals Board for the purposes of the DBC shall be the Board of Appeals as set forth in Article 1 of this chapter.~~
- ~~(b) — DBC Sec. 501(b). Process of Appeal. Upon receipt of any appeal filed pursuant to DBC chapter 5, the Building Official shall present it at the next regular or special meeting of the Board of Appeals in accordance with chapter 4 of Title 1 of the Ojai Municipal Code. The Building Official may, under the applicable procedures set forth in this Code, request and initiate a hearing before the Board of Appeals on any matter related to a Dangerous Building or the premises on which it is located.~~

Section to be repealed.

**SECTION 14. Local Amendment.** Ojai Municipal Code Article 6 ("Uniform Administrative Code") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck-through~~ text:

**Article 6. Uniform California Administrative Code**

**Sec. 9-1.601. Adoption.**

That certain Code known as the ~~"Uniform Administrative Code,"~~ "The California Administrative Code," promulgated and published by the ICBO-California Building Standards Commission, is hereby adopted and enacted as the primary Code governing the administration of this Code and is made a part of this Code by reference with the same force and effect as if fully set forth herein. Such Code will be referred to herein as ~~the Uniform Administrative Code (UAC)~~ the California Administrative Code (CAC).

**Sec. 9-1.602. Amendments.**

None.

Section to be repealed.

**SECTION 15. Local Amendment.** Ojai Municipal Code Article 7 ("National Electrical Code") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck through~~ text:

**Article 7. ~~National-~~ California Electrical Code**

**~~Sec. 9-1.701. Adoption (Repealed).~~**

**Sec. 9-1.701. Amendments.**

The ~~NEC~~ California Electrical Code is hereby amended as follows:

- (a) ~~NEC CEC Sec. 90-8~~ 89.108.48. Permit Application. To obtain an electrical permit, an application shall be filed therefor and appropriate fees paid as set forth by resolution of the Council.
- (b) ~~NEC CEC Sec. 90-~~ 89.108.9.3. Authority to Disconnect. The Building Official is hereby authorized to order the discontinuance and/or disconnection of any electrical wiring, device, appliance, apparatus or equipment which is found to be hazardous to life, health or property.
  - (1) It shall be unlawful for any person, firm, corporation or serving utility to make connections with a source of electrical energy or to supply electrical service to any electrical wiring, device, appliance, apparatus or equipment which has been disconnected or ordered disconnected by the Building Official until approval has been granted for reconnection of such equipment.
- (c) ~~NEC CEC Sec. 90-10~~ 89.108.9.4. Connection to Electrical Installations. Except where work is done under an annual electrical maintenance permit, it shall be unlawful for any person, firm or corporation to make connection from a source of electrical wiring, device, appliance or equipment which requires a permit for

installation unless such person, firm or corporation shall have obtained evidence from the Building Inspector that such equipment is authorized to be energized.

- (d) ~~NEC CEC~~ Sec. ~~90-11~~ 89.108.9.5. Authority to Abate. Any portion of an electrical system found by the Building Official to be unsafe as defined in this Code or which the Building Official finds is manifestly unsafe is hereby declared to be a nuisance.
  - (1) Where a nuisance exists or an electrical system is maintained in violation of this Code or any notice issued pursuant to this Section, the Building Official shall require the nuisance or violation to be abated and, where necessary, shall seek such abatement in the manner provided by law.
- (e) ~~NEC CEC~~ Sec. 110.5. Conductors. Conductors normally used to carry current shall be of copper unless otherwise provided in this Code. Where the conductor material is not specified, the sizes given in this Code shall apply to copper conductors. Where other materials are used, the size shall be changed accordingly.
  - (1) For aluminum and copper-clad aluminum conductors, see Tables 310-16 through 310-19 of the NEC. Aluminum wire used under the provisions of this Code shall be a minimum of #6 A.W.G. stranded conductor.
- (f) CEC Sec. ~~NEC~~ 110.8. Wiring Methods. Only wiring methods recognized as suitable are included in this Code. The recognized methods of wiring shall be permitted to be installed in any type of building or occupancy, except as otherwise provided in this Code.
  - (1) Wiring installations and equipment in existence at the time of passage of this Code may have their existing use continued if such use was legal at the time of passage and provided such continued use is not unsafe.

**SECTION 16. Local Amendment.** Ojai Municipal Code Article 8 ("Uniform Plumbing Code") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck through~~ text:

**Article 8. Uniform California Plumbing Code.**

**Sec. ~~9-1.801~~. Adoption (Repealed).**

**Sec. 9-1.801. Amendments.**

The UPC California Plumbing Code is hereby amended as follows:

(a) ~~UPC Sec. 323 (Added). Permit Application. To obtain CPC 104.5.3 Fee Refunds. The Authority Having Jurisdiction shall be permitted to authorize the refunding of the fee as follows:~~

1. The amount paid hereunder that was erroneously paid or collected.
2. The Building Official may authorize a plumbing refund of not more than 80 percent of the applicable permit fee paid when no work has been done under the permit. The Building Official may authorize a refund of not more than 80 percent of the plan review fee paid when an application therefor shall be filed and appropriate fees paid as set forth by resolution of the Council for a permit is withdrawn or canceled before any examination time has been expended.

(b) ~~UPC Sec. 324 (Added). Authority to Abate. Any portion of a plumbing system found by the Administrative Authority to be unsanitary, as defined in this Code, is hereby declared to be a nuisance. CPC 105.2.6 Reinspection Fees. A reinspection fee may be imposed for each inspection or reinspection, when such portion for work for which inspection is called is not complete, access is denied, access is not available or when required corrections are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as a method of controlling the practice of calling inspections before the job is ready for such inspection or reinspection. Reinspection fees may be imposed when the approved plans are not readily available to the inspector; for failure to provide access on the date for which the inspection is requested; or for deviating from plans requiring the approval of the Building Official. In instances where reinspection fees have been assessed, the permit will not be finalized nor occupancy granted until the required fees have been paid. Reinspection fees are established by City Ordinance.~~

- (1) ~~Where a nuisance exists or a plumbing system is maintained in violation of this Code or any notice issued pursuant to this Section, the Building Official shall require the nuisance or violation to be abated and, where necessary, shall seek such abatement in the manner provided by law.~~

**SECTION 17. Local Amendment.** Ojai Municipal Code Article 9 ("Uniform Fire Code") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck through~~ text:

**Article 9. Uniform California Fire Code**

**Sec. 9-1.901. Adoption.**

That certain Code known as the ~~"Uniform Fire Code,"~~ "California Fire Code," most recent edition, promulgated and published by the ICBO California Building Standards Commission, is hereby adopted and enacted as the primary Fire Code of the City and made a part of this chapter by reference with the same force and effect as if fully set forth in this chapter, subject to the amendments set forth in this article. Said Code shall be referred to in this article as the ~~Uniform Fire Code (UFC)~~ California Fire Code ("CFC").

**~~Sec. 9-1.902. Amendments.~~**

~~The UFC is hereby amended by the addition thereto of Appendix VII of Ordinance 25 of the Ventura County Fire Protection District.~~

~~The UFC is hereby amended by the addition thereto of Appendix J of Ordinance No. 26 of the Ventura County Fire Protection District.~~

Section to be repealed.

**SECTION 18. Local Amendment.** Ojai Municipal Code Article 10 ("Swimming Pools and Fencing") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck through~~ text:

**Article 10. ~~Swimming Pools and Fencing~~ California Energy Code**

**Sec. 9-1.1001. ~~Definitions.~~ Adoption.**

~~For purposes of this article, "pool" shall mean any body of water created by artificial means which is designed or used for swimming or immersion purposes by men, women or children and which has a water depth exceeding eighteen (18") inches. The term "pool" shall include swimming pools, spas, hot tubs and above and below ground vinyl lined pools, but does not apply to plumbing fixtures such as bathtubs; nor does it apply to man made lakes, reservoirs or farm ponds used primarily for public park purposes, water conservation, irrigation or watering of livestock.~~

That certain Code known as the "The California Energy Code," promulgated and published by the California Building Standards Commission, is hereby adopted and enacted as the primary Code governing the administration of this Code and is made a part of this Code by reference with the same force and effect as if fully set forth herein. Such Code will be referred to herein as the California Energy Code.

**~~Sec. 9-1.1002. Pool design and construction.~~**

- (a) ~~General. Pool design and construction shall be in accordance with accepted engineering practices, shall be in conformity with applicable provisions of the adopted building, electrical, plumbing and mechanical codes and shall be~~

~~structurally suitable for the soil, topographic and geologic conditions prevailing at the construction site.~~

- ~~(b) — Expansive Soil Design. Pools constructed below grade shall be designed on the assumption that their construction is to be in an area of moderately expansive soil having an expansion index of fifty-one (51) to ninety (90) and an equivalent fluid pressure of not less than forty-five (45) pounds per cubic foot (p.c.f.).~~
- ~~(c) — Exceptions. Where tests indicate that soils at a pool site are non-expansive or have low expansion characteristics from the ground surface to the full depth of the pool, structural design may be based on an equivalent fluid pressure not less than thirty (30) p.c.f.~~
  - ~~(1) — In highly expansive soils having an expansion index of ninety-one (91) to one hundred thirty (130), pools shall be designed for not less than sixty (60) p.c.f. equivalent fluid pressure.~~
  - ~~(2) — In very highly expansive soils having an expansion index over one hundred thirty (130), pool design shall be subject to special requirements based on a site investigation, soil testing and engineering analysis by a registered civil engineer to determine appropriate design parameters for the site.~~
- ~~(d) — Hydrostatic Uplift. In areas of anticipated high water table an approved hydrostatic relief system or device shall be installed.~~
- ~~(e) — Thermal Protection for Plastic Piping. Between the inlet of pool water heating equipment and any plastic water piping connected thereto a check valve shall be installed to prevent thermal damage to such piping due to backflow.~~
  - ~~(1) — Exception: When rapid or high rate filters are employed, a check valve may be omitted.~~
  - ~~(2) — Between the outlet of pool heating equipment and any plastic water piping connected thereto, not less than five (5') feet of approved metal pipe shall be installed for the purpose of dissipating heat.~~
- ~~(f) — Safeguarding Suction Drains. Bottom drains and suction intakes in pools and spas shall be covered with grates or other protective devices which cannot be removed except with tools. The slots or openings in these covers shall be of such area, shape and arrangement as to prevent bathers from being drawn thereto with such force as to constitute a safety hazard.~~
- ~~(g) — Special Inspections. Special inspections as required by Section 108 of the UBC shall be provided for pneumatically placed concrete (gunite) in swimming pools.~~
- ~~(h) — Fencing and Gates. Any person, firm or corporation in possession of land either as owner in fee, purchaser under contract, lessee, tenant, licensee or any type of legal estate upon which is situated a pool as defined above shall at all times maintain on the lot or premises a fence or wall not less than five (5') feet in height which completely surrounds such pool or body of water.~~

- (1) ~~Single family dwelling (Group R, Division 3 occupancy) or accessory buildings in conjunction with a single family dwelling (Group M, Division 1 occupancy) or other occupancies where access is controlled at all times and where a lifeguard is on duty, structures may be used as part of pool enclosures. Openings, holes or gaps therein shall be no larger than four (4") inches wide except for openings closed by doors or gates. Fences shall not have a configuration which provides a ladder like access to the pool area, such as chain link fences.~~
- (2) ~~Each gate or door opening through a pool enclosure shall be equipped with a self closing and self latching device capable of keeping the gate or door securely closed at all times when not in use.~~
- (3) ~~Where the release mechanism of the self latching device is located less than fifty four (54") inches from the bottom of the gate, the release mechanism shall be located on the pool side of the barrier at least three (3") inches below the top of the gate and the gate shall have no openings greater than one half (1/2") inch wide within eighteen (18") inches of the release mechanism.~~
- (4) ~~Pedestrian gates shall swing away from the pool.~~
- (5) ~~Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.~~
- (6) ~~The Building Official may make modifications and accept alternatives to the fencing requirement in individual cases upon a showing of good cause with respect to height, nature or location of the fence, wall, gates or latches, or the necessity therefor, provided that protection is not reduced.~~

Section to be repealed.

**SECTION 19. Local Amendment.** Ojai Municipal Code Article 11 ("Severability") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck through~~ text:

**Article 11. Severability California Green Building Standard Code**

**Sec. 9-1.1101. Severability. Adoption.**

~~If any article, section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter. The Council hereby declares that it would have adopted this chapter, and each article, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more articles, sections, subsections, sentences, clauses, and/or phrases be declared unconstitutional or invalid.~~

That certain Code known as the "The California Green Building Standard Code," promulgated and published by the California Building Standards Commission, is hereby adopted



and enacted as the primary Code governing the administration of this Code and is made a part of this Code by reference with the same force and effect as if fully set forth herein. Such Code will be referred to herein as the California Green Building Standard Code ("CGBSC").

**SECTION 20. Local Amendment.** Ojai Municipal Code Article 12 ("Cross-References") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby amended to read as follows, with additions marked by underlined text and deletions marked by ~~struck through~~ text:

**Article 12. ~~Cross-References~~ California Reference Standards**

**Sec. 9-1.1201. Adoption.**

~~To facilitate cross references and the use of amendments to the uniform Codes adopted by reference by this chapter, the amendments set forth in this chapter are numbered to correspond to the uniform sections which are amended. An amendment to such an alphabetized subsection, for example, 104 (a), amends only that subsection and does not, by omission of reference, delete any other subsection, such as 104 (b) through 104 (j).~~

Those Standards known as the "The California Reference Standards," promulgated and published by the California Building Standards Commission, is hereby adopted and enacted as the primary Code governing the administration of this Code and is made a part of this Code by reference with the same force and effect as if fully set forth herein. Such Code will be referred to herein as the California Reference Standards ("CRS").

**SECTION 21. Severability.** Ojai Municipal Code Article 13 ("Severability") of Chapter 1 ("Uniform Codes") of Title 9 ("Building Regulations") is hereby added to read as follows, with additions marked by underlined text:

**Article 13. Severability**

**Sec. 9-1.1301. Severability.**

If any article, section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter. The Council hereby declares that it would have adopted this chapter, and each article, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more articles, sections, subsections, sentences, clauses, and/or phrases be declared unconstitutional or invalid.

**SECTION 22. Building Standards Commission.** The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission, under Health and Safety Code section 17958.7(b).

**SECTION 22. Environmental Determination.** The City Council determines that the following findings and conclusions reflect the independent judgment of the City Council. The City Council finds that in accordance with section 15061(b)(3) of the California Code of Regulations, the adoption of these local amendments to the Ojai Municipal Code are exempt from the provisions of the California Environmental Quality Act because such actions are largely administrative in nature, are designed to improve and not degrade environmental quality, and the impacts of these local amendments to the building standards code will not adversely affect the environment in any manner that could be significant.


**SECTION 23. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

**SECTION 24. Certification.** The City Clerk shall cause this Ordinance to be published once, within fifteen (15) calendar days after its passage, in the *Ojai Valley News*, a newspaper of general circulation, printed, published and circulated in the City, and shall cause a copy of this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City.

**SECTION 25. Effective Date.** This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937, shall supersede any conflicting provision of any City of Ojai ordinance, and shall continue in effect until terminated by further action of the City Council in accord with applicable law.

**PASSED, APPROVED AND ADOPTED** this 26th day of February, 2019.

CITY OF OJAI, CALIFORNIA

By   
John F. Johnston, Mayor  
March 11, 2019  
Date signed

ATTEST:

  
Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:

  
Matthew T. Summers, City Attorney

STATE OF CALIFORNIA   )  
COUNTY OF VENTURA   )  
CITY OF OJAI            )

I, Gail Davis, Deputy City Clerk of the City of Ojai do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Ojai held on February 12, 2019 and adopted at a regular meeting held on February 26, 2019 by the following vote:

AYES:           Blatz, Francina, Haney, Johnston, Weirick  
NOES:           None  
ABSTAIN:       None  
ABSENT:        None

  
Gail Davis  
Deputy City Clerk for the City of Ojai